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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,134	06/24/2003	Sridhar Sadasivan	86569WRZ	1606

7590

11/28/2005

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EXAMINER
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RIELLEY, ELIZABETH A

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 11/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/602,134

Applicant(s)

SADASIVAN ET AL.

Examiner

Elizabeth A. Rielley

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/14/05 has been entered.

### ***Drawings***

The drawings are objected to because drawing 9 has been cut off on the left hand side. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-5 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The amended phrase “which is not a linking agent”, which is in reference to a nanomorphous non-polymeric organic compound, is not discussed in the specification.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alivisatos et al (US 5537000) in view of Lamansky et al (US 20040062947).

In regard to claim 1, Alivisatos et al ('000) teaches a light emitting display comprising a first addressing electrode (10; figure 4; column 4 lines 45-49); a second addressing electrode (40; figure 4 column 7 lines 45-60); and a nanomorphous material layer (30; column 6 lines 4-13) having at least one nanomorphous, non-polymeric organic compound (column 6 lines 26-65, since the nano-particles are

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bonded/adhered by non-polymeric organic compounds, thus the nanomorphous layer comprises at least one polymeric organic compound as claimed) positioned between the first addressing electrode and the second addressing electrode (column 7 lines 45-49). Alivisatos et al ('000) is silent regarding the limitation of the nanomorphous, non-polymeric organic compound that is not a linking agent. Lamansky et al ('947) teach a nanomorphous, non-polymeric organic compound that is not a linking agent (paragraphs 31-83) in order to emit radiation within a large of wavelength (paragraph 50). Hence, it would have been obvious to one of ordinary skill in the art to combine the light emitting display as taught by Alivisatos et al ('000) with the nanomorphous, non-polymeric organic compound that is not a linking agent as taught by Lamansky et al ('947). Motivation to combine would be to emit radiation within a large of wavelength.

In regard to claim 2, Alivisatos et al ('000) teaches the nanomorphous material is a first non-polymeric organic nanomorphous material adapted to luminesce at a first wavelength (abstract; column 5 line 60 to column 7 line 42). Although Alivisatos et al ('000) does not directly teach the invention to be made from an organic material, Alivisatos et al ('000) nevertheless teaches the possible use of an organic nanomorphous material, but prefers an inorganic material in order to withstand higher temperatures (column 2 lines 1-10).

In regard to claim 3, Alivisatos et al ('000) teaches a second (34; figure 7) organic (column 2 lines 1-10) non-polymeric (column 5 line 60 to column 7 line 42) nanomorphous material positioned between the first addressing electrode (10) and the second addressing electrode (40; not shown in figure 7) in a location other than a location of the first organic nanomorphous material, the second organic nanomorphous material being adapted to luminesce at a second wavelength (column 8 line 64 to column 9 line 30).

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In regard to claim 4, Alivisatos et al ('000) teaches the first organic non-polymeric (column 5 line 60 to column 7 line 42) nanomorphous material (32; figure 6) has an equivalent chemical composition when compared to the second organic nanomorphous material (34; figure 6; column 9 lines 6-20).

In regard to claim 5, Alivisatos et al ('000) teaches the first organic non-polymeric (column 5 line 60 to column 7 line 42) nanomorphous material (32; figure 8; column 9 lines 31-40) having a first chemical composition, the second organic nanomorphous material (36; figure 8) having a second chemical composition, wherein the first chemical composition does not equal the second chemical composition (column 9 lines 31-40).

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth A. Rielley whose telephone number is 571-272-2117. The examiner can normally be reached on Monday - Friday 7:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

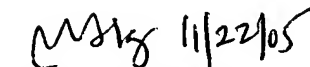
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direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Elizabeth Rielley

*Examiner*  
Art Unit 2879

  
MARICELI SANTIAGO  
PRIMARY EXAMINER